

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 24, 2009

DIVISION ONE

B204960 Percy Matthews II (Not for Publication)
 v.
 YMCA of Glendale

The judgment is affirmed. Defendant is entitled to costs on appeal.

Mallano, P.J.

We concur: Rothschild, J.
 Bauer, J. (Assigned)

B206781 Janet Massoud et al. (Not for Publication)
 v.
 Erne Goldberger & Co.

The judgment is reversed. Plaintiffs are entitled to their costs on appeal.

Mallano, P.J.

We concur: Rothschild, J.
 Weisberg, J. (Assigned)

B205870 People (Not for Publication)
 v.
 Matthew David Kropp

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
 Weisberg, J. (Assigned)

February 24, 2009 (Continued)

DIVISION ONE (continued)

B204141 People (Not for Publication)
v.
Michael Carl Deakins

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
Weisberg, J. (Assigned)

DIVISION THREE

B208454 Los Angeles County, D.C.F.S. (Not for Publication)
v.
M.G.

The juvenile court's order terminating mother's parental rights with respect to Rosario is affirmed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B201532 In re Kevin Tarver (Not for Publication)
on
Habeas Corpus

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (continued)

B203547 People (Not for Publication)
v.
David Nick Garcia

The judgment is modified by imposing (1) a Penal Code section 1465.7, subdivision (a) state surcharge of \$10, (2) a Government Code section 70372, subdivision (a)(1) state court construction penalty of \$15, and (3) a second Penal Code section 1465.8, subdivision (a)(1) court security fee of \$20, and, as modified, the judgment is affirmed. The trial court is ordered to forward to the Department of Corrections an amended abstract of judgment reflecting the above modifications.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B206612 People (Not for Publication)
v.
Joseph R. Caceres

The judgment is reversed as to count 2, criminal threats against Elsie Vasquez. The judgment is otherwise affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

B207081 People (Not for Publication)
v.
Randall Jaramillo

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION THREE (continued)

B210237 People (Not for Publication)
v.
Stephen Jones

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION FOUR

[illegible]

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

B206726 Los Angeles County, D.C.F.S. (Not for Publication)
v.
H.N.

The order appealed from (dismissal of section 300 petition as to respondent H.N.) is affirmed.

Willhite, Acting P.J.

We concur: Manella, J.
Suzukawa, J.

DIVISION FOUR (continued)

B207458 County of Los Angeles (Not for Publication)
v.
Lexington National Insurance Company

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
 Manella, J.

B204617 People (Not for Publication)
v.
Silva

The judgment is affirmed.

Willhite, Acting P.J.

We concur: Manella, J.
 Suzukawa, J.

DIVISION FIVE

B205198 Sabrina Souiri (Not for Publication)
v.
Kovac Media Group, Inc., et al.,

The order is reversed. Mena is awarded her costs on appeal.

Mosk, J.

We concur: Turner, P.J.
 Kriegler, J.

February 24, 2009 (Continued)

DIVISION SIX

B200076 Kasperbauer, et al.
v.
Fairfield

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN

B205028 Jenny (Not for Publication)
v.
State Farm General Ins. Co.

The judgment is affirmed. State Farm is to recover its costs on appeal.

Perluss, P.J.

We concur: Woods, J.
Jackson, J.

DIVISION EIGHT

Court convened at 8:58 a.m.

Present: Rubin, Acting P.J., Bigelow, J., O'Neill, J. (Assigned) and C. Hon, Deputy Clerk.

Each of the following:

B206358 People v. Agustin
B205884 People v. Childs, et al.
B207085 People v. Burgos
B208411 People v. Hernandez
B200272 People v. Ruiz

Argument waived, cause submitted.

DIVISION EIGHT (continued)

Each of the following:

B208434 Harutyunyan v. S.C.L.A. (The People)

B206790 Aguilera v. Heiman et al.

Matter continued to March 24, 2009, at 1:00 p.m.

B202478 Wurm et al.

v.

California Institute of Technology

Matter continued to April 28, 2009, at 9:00 a.m.

B200885 Higgins, II, et al.

v.

Disney/ABC International Television, Inc., et al.

Merits:

Argued by Patrick A. Mesisca for appellants and by Patricia Glaser for respondents. Cause submitted.

Flier, J. takes the bench.

B202352 Sanai

v.

Sanai

Merits:

Argued by Cyrus Sanai for appellant. Mary Talmachoff appears for respondent and waives argument. Cause submitted.

DIVISION EIGHT (continued)

B206325 People
 v.
 Ash

Merits:

Argued by Alex Coolman for appellant and by David Glassman, Deputy Attorney General for respondent. Cause submitted.

B206613 People
 v.
 Chandler

Merits:

Argued by Alex Coolman for appellant and by Viet Nguyen, Deputy Attorney General for respondent. Cause submitted.

B196906 Silvestro et al.
 v.
 Kaiser Gypsum Co., Inc.

Merits:

Argued by Lisa Perrochet for appellant and by Michael B. Gurien for respondent. Cause submitted.

Court recessed.

Court reconvened at 10:30 a.m.

Present: Rubin, Acting P.J., Bigelow, J., O'Neill, J. (Assigned) and C. Hon, Deputy Clerk.

B205789 Venturi & Company
B206774 v
 Pacific Malibu Development Corporation, et al.

Merits:

Argued by Lee T. Dicker for respondents and by John Belcher for appellant. Cause submitted.

DIVISION EIGHT (continued)

Flier, J., takes the bench.

B207743 Los Angeles County, D.C.F.S.
 v.
 E.M.; P.L.

Merits:

Argued by Jennifer Mack and Frank Da Vanzo, Deputy County Counsel for respondents and by Daniel Rooney for appellant. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Rubin, Acting P.J., Flier, J., Bigelow, J., O'Neill, J. (Assigned) and C. Hon, Deputy Clerk.

B208887 People
 v.
 Eiferman

Merits:

Argued by Alex Coolman for appellant and by Julie Harris, Deputy Attorney General for respondent. Cause submitted.

Bigelow, J. leaves the bench.

B196582 Lewitt
 v.
 Levin et al.

Merits:

Argued by Corey Glave for appellant and by Connie Chuang for respondents. Cause submitted.

Bigelow, J. returns to the bench.

Rubin, J. leaves the bench.

DIVISION EIGHT (continued)

B204006 Flores
 v.
 Home Depot

Merits:
Argued by Jill McDonell for appellant and by Lynne Hermle for
respondent. Cause submitted.

Rubin, J. returns to the bench.

O'Neill, J. (assigned) leaves the bench.

B204006 Coco et al.
 v.
 Karr et al.

Merits:
Argued by Hillary Kelley, appellant in propria persona, by Stanley D.
Bowman for respondent/appellant and by Dale Washington for
respondent/appellant. Bailey Karr, appears in propria persona and waives
argument. Cause submitted.

O'Neill, J. (assigned) returns to the bench.

Rubin, J. leaves the bench.

B205533 McConnell, et al.
 v.
 Innovative Artists Talent and Literary Agency, Inc.

Merits:
Argued by Paul Blechner for appellant and by William Briggs, II and
Gerald Greengard for respondents. Cause submitted.

Court adjourned.

February 24, 2009 (Continued)

DIVISION EIGHT (continued)

B201522 People (Not for Publication)
v.
Elvin Hudspeth

The appeal is dismissed. The petition for writ of habeas corpus is denied.

O'Neill, J. (Assigned)

We concur: Flier, Acting P.J.
Bigelow, J.

B208464 Los Angeles County, D.C.F.S. (Not for Publication)
v.
B.L.,
In re S.R., a Person Coming Under the Juvenile Court Law

The order denying the section 388 petition is affirmed.

O'Neill, J. (Assigned)

I concur: Bigelow, J.
I dissent: Flier, Acting P.J. (Opinion)